

Attorney Docket No: GRAY018/00US

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EYEGLASSES FRAME WITH ROTATABLE TEMPLES

the specification of which:

(check one)

[x] is attached hereto;

[] was filed as United States Application Serial No. ___ on ___, and was amended on (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Number)

(Filing Date) (day, month, year)

(Application Number)

(Filing Date) (day, month, year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Nestor M. BENAVIDES

Inventor's signature Nestor M. BENAVIDES.

Date August 28, 2001

Residence: Gaithersburg, Maryland

Citizen of: United States

Post Office Address: 345 Little Quarry Road, Gaithersburg, Maryland 20878

Full name of second inventor: Matthew LAINE

Inventor's signature Matthew LAINE

Date 8/28/01

Residence: Severna Park, Maryland

Citizen of: United States

Post Office Address: 140 Idlewild Road, Severna Park, Maryland 21146

Full name of third inventor: Brian E. LE GETTE

Inventor's signature Brian E. LE GETTE

Date 8-28-01

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 720 S. Montford Avenue, Baltimore, Maryland 21224

Full name of fourth inventor: Russell REED

Inventor's signature Russell REED

Date 8-28-01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 3033 Oak Rim Lane, Park City, Utah 84060

Full name of fifth inventor: David B. STALEY

Inventor's signature David B. STALEY

Date 8-28-01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 2737 Holiday Ranch Loop Road, Park City, Utah 84060

Full name of sixth inventor: Alan TIPP

Inventor's signature Alan TIPP

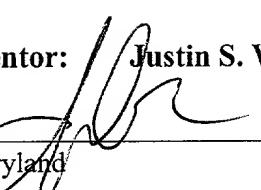
Date 8-28-01

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 1900 Thames Street, Apt. #427, Baltimore, Maryland 21230

Full name of seventh inventor: Justin S. WERNER

Inventor's signature 

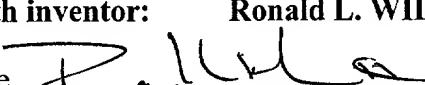
Date 8-28-01

Residence: Millersville, Maryland

Citizen of: United States

Post Office Address: 302 Galena Court, Millersville, Maryland 21108

Full name of eighth inventor: Ronald L. WILSON, II

Inventor's signature 

Date 8-28-2001

Residence: Catonsville, Maryland

Citizen of: United States

Post Office Address: 10 Ballymena Court, Catonsville, Maryland 21228

Attorney Docket No: GRAY018/00US

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(Application Number)

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Full name of first inventor: Nestor M. BENAVIDES

Inventor's signature _____ Date _____

Residence: Gaithersburg, Maryland

Citizen of: United States

Post Office Address: 345 Little Quarry Road, Gaithersburg, Maryland 20878

Full name of second inventor: Matthew LAINE

Inventor's signature _____ Date _____

Residence: Severna Park, Maryland

Citizen of: United States

Post Office Address: 140 Idlewild Road, Severna Park, Maryland 21146

Full name of third inventor: Brian E. LE GETTE

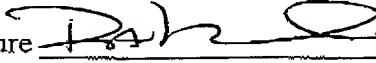
Inventor's signature _____ Date _____

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 720 S. Montford Avenue, Baltimore, Maryland 21224

Full name of fourth inventor: Russell REED

Inventor's signature  Date 8-30-01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 3033 Oak Rim Lane, Park City, Utah 84060

Full name of fifth inventor: David B. STALEY

Inventor's signature  Date 3/28/01

Residence: Park City, Utah

Citizen of: United States

Post Office Address: 2737 Holiday Ranch Loop Road, Park City, Utah 84060

Full name of sixth inventor: Alan TIPP

Inventor's signature _____ Date _____

Residence: Baltimore, Maryland

Citizen of: United States

Post Office Address: 1900 Thames Street, Apt. #427, Baltimore, Maryland 21230

Full name of seventh inventor: **Justin S. WERNER**

Inventor's signature _____ Date _____

Residence: Millersville, Maryland

Citizen of: United States

Post Office Address: 302 Galena Court, Millersville, Maryland 21108

Full name of eighth inventor: **Ronald L. WILSON, II**

Inventor's signature _____ Date _____

Residence: Catonsville, Maryland

Citizen of: United States

Post Office Address: 10 Ballymena Court, Catonsville, Maryland 21228

Attorney Docket No: GRAY018/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Nestor M. BENAVIDES et al.

Serial No.: Unassigned

Examiner: Unassigned

Filed: Herewith

Art Unit: Unassigned

For: EYEGLASSES FRAME WITH ROTATABLE TEMPLES

Commissioner for Patents
Washington, D.C. 20231

**POWER BY ASSIGNEE
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

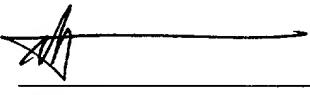
[x] An assignment document, a copy of which is enclosed herewith;

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5601
Tel: (703) 456-8000
Fax: (703) 456-8100

CUSTOMER NUMBER: **022903**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: 8-28-01 Signature: 

Name: Brian E. Le Gette
Title: President
Company: Gray Matter Holdings, LLC

DO NOT FILE UNTIL 60 DAYS FROM DATE OF FILING

Attorney Docket No. GRAY018/00US

PATENT

Applicant or Patentee: Nestor M. BENAVIDES et al.
Serial No.: Unassigned Patent No.:
Filed: Herewith Issued:
For: EYEGLASSES FRAME WITH ROTATABLLE TEMPLES

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER
37 C.F.R. §1.27 - SMALL BUSINESS CONCERN**

I hereby declare that I am:

the owner of the small business concern identified below;
 an official of the small business concern empowered to act on behalf of the concern identified below;

Name of Small Business Concern: Gray Matter Holdings, LLC
Address of Small Business Concern: 720 S. Montford Avenue
Baltimore, Maryland 21224

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121 for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled EYEGLASSES FRAME WITH ROTATABLLE TEMPLES and described in:

the specification filed herewith;
 the application identified above; or
 the patent identified above;

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3):

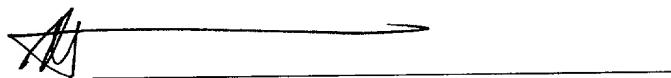
*NOTE: Please obtain separate Assertions of Entitlement to Small Entity Status from each named person, concern or organization having rights to the invention averring to their status as small entities.

Name:
Address:

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

Signature



Date

8-28-01

Name of Person Signing

Brian E. Le Gette

Title of person other than owner

President

Address of person signing

720 S. Montford Avenue

Baltimore, Maryland 21224